

**Opening Statement of Chairman Fred Upton
Energy and Commerce Full Committee Markup of
H.R. 452, the Medicare Decisions Accountability Act
H.R. 3309, the Federal Communications Commission Process Reform Act
H.R. 3310, the Federal Communications Commission Consolidated Reporting Act**

(As Prepared for Delivery)

Good afternoon and welcome. Today we'll work through opening statements and tomorrow we will consider the following legislation: H.R. 452, the Medicare Decisions Accountability Act; H.R. 3309, the Federal Communications Commission Process Reform Act; and H.R. 3310, the Federal Communications Commission Consolidated Reporting Act.

I firmly believe there are common themes that unite the work of our six subcommittees and the broad range of issues they encompass. All six subcommittees are focused on solutions to support economic growth and job creation. They are all working to reduce the size and scope of government, eliminating wasteful spending and standing up for taxpayers. And they are all working to protect individuals, families, and communities.

One way we can achieve all of those goals is through sound process. You see, what matters is not just *what* government does, but *how* we do it. And that is the common thread among the bills we are considering this week. Whether it's decisions about how to protect Medicare patients while reducing the cost of the program or whether it's how the Federal Communications Commission administers telecommunications policy, these practices should be open and accountable. And that's precisely what this legislation is designed to accomplish.

Last week, the Health Subcommittee approved H.R. 452, the Medicare Decisions Accountability Act, with bipartisan support.

This bill repeals one of the more ominous parts of the president's massive health reform legislation, the Independent Payment Advisory Board. IPAB, established in Section 3403 of PPACA, is a clear-cut example of the contrast between two fundamentally different views of how to reform the Medicare program and preserve it for future generations.

The president's health care law says that cutting \$575 billion from Medicare to fund new health entitlements and then allowing a 15-member panel of unelected bureaucrats to decide what health care goods and services are valuable is the way to reform the program. We strongly disagree.

We believe that health care decisions belong in the hands of patients and doctors rather than an unaccountable panel of government-appointed experts. The goal is to reform Medicare and preserve it for future generations, and as I said at the beginning, *how* you do it matters. IPAB is not the way to protect Medicare, and I am pleased to see us working in a bipartisan fashion to repeal it.

Repealing IPAB is one way to restore accountability and openness. FCC process reform is another.

When we took over the majority in the House of Representatives, the GOP transition team—led by our own Chairman Walden—took a fresh look at how the House was run. I'm proud to say that our committee—with more than 100 hearings so far—has led by example in showing that a deliberative, accountable process leads to quality results.

Given the FCC's role as the federal regulator of the communications and technology sector—one of the largest economic drivers even in this sluggish national economy—it is imperative that the FCC operate in a transparent and accountable manner that encourages job creation, investment, and innovation. Mr. Walden's FCC Process Reform Act does that by taking the best ideas from both sides of the aisle. President Obama and his Jobs Council recommended that independent agencies conduct cost-benefit analyses. Former Commissioner Copps recommended improving deliberations among Commissioners. State commissions recommended more transparency in the FCC's rulemaking process. And small businesses requested shot clocks so they know when their petitions will be acted on. The FCC Process Reform Act accomplishes all these recommendations and more, building on the work of Chairman Genachowski to make the FCC home to good government process.

And just as we should be using good process to adopt new rules, we also need to ensure that legacy regulations and reports are not hampering investment and innovation. Mr. Scalise's FCC Consolidated Reporting Act is a step in the right direction there, consolidating eight separate reports on the communications marketplace into a single report. By looking at the marketplace as a whole rather than in traditional silos, the FCC and the American public will be better informed about existing competition and any barriers that may be preventing small businesses from investing and creating jobs.